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PTO/SB/02A (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number **BP0307-US**

First Named Inventor **Dey et al.**

COMPLETE IF KNOWN

Application Number **10/751,387**

Filing Date **January 5, 2004**

Art Unit **1626**

Examiner Name **Not Assigned**

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Isotopically Enriched N-Substituted Piperazine Acetic Acids And Methods For The Preparation Thereof

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ Was filed on (MM/DD/YYYY) **01/05/2004** as United States Application Number or PCT International

Application Number **10/751,387** and was amended on (MM/DD/YYYY) (if applicable).

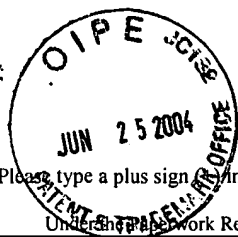
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States Provisional application(s) listed below:

| | |
|-----------------------------------|------------------------|
| _____ (Application Serial No.) | _____ (Filing Date) |
| _____ (Application Serial No.) | _____ (Filing Date) |
| _____ (Application Serial No.) | _____ (Filing Date) |

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|-----------------------------------|------------------------|---|
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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DECLARATION - Utility or Design Patent Application

Direct all correspondence to:

Practitioners at Customer Number
OR

23544

23544

PATENT TRADEMARK OFFICE



Correspondence address below:

Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor.

Given Name

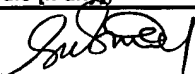
Subhakar

(first and middle [if any])

Family Name

DEY

Or Surname

Inventor's
Signature

Date

JUNE 14/2004

Residence: City

Billerica

State

MA

Country

US

Citizenship

India

Mailing Address

9 Sewell Street

City

Billerica

State

MA

Zip

01862

Country

United States

NAME OF SECOND INVENTOR:

A petition has been filed for this unsigned inventor.

Given Name

Darryl J.C.

(first and middle [if any])

Family Name

PAPPIN

Or Surname

Inventor's
Signature

Date

6/8/04

Residence: City

Boxborough

State

MA

Country

US

Citizenship

United Kingdom

Mailing Address

391 Burroughs Road

City

Boxborough

State

MA

Zip

02139

Country

United States

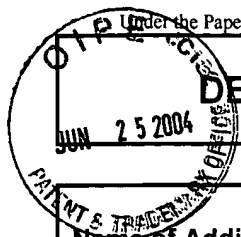
Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB02A attached hereto.

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**DECLARATION****ADDITIONAL INVENTOR(S)****Supplemental Sheet**Page 2 of 2.

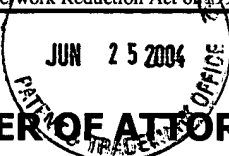
| | | | |
|--|----------|--|---------------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor. | |
| Given Name (first and middle [if any]) Subhasish | | Family Name Or Surname PURKAYASTHA | |
| Inventor's Signature <i>[Signature]</i> | | Date 5/28/04 | |
| Residence: City Acton | State MA | Country US | Citizenship India |
| Mailing Address 49 Lexington Drive | | | |
| City Acton | State MA | Zip 01720 | Country United States |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor. | |
| Given Name (first and middle [if any]) Sasi | | Family Name Or Surname PILLAI | |
| Inventor's Signature <i>[Signature]</i> | | Date 05.28.04 | |
| Residence: City Littleton | State MA | Country US | Citizenship India |
| Mailing Address 1 Nicole Lane | | | |
| City Littleton | State MA | Zip 01460 | Country United States |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor. | |
| Given Name (first and middle [if any]) James M. | | Family Name Or Surname COULL | |
| Inventor's Signature <i>[Signature]</i> | | Date 6/3/04 | |
| Residence: City Westford | State MA | Country US | Citizenship United States |
| Mailing Address 7 Banbury Drive | | | |
| City Westford | State MA | Zip 01886 | Country United States |

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| | | |
|--|------------------------|-----------------|
|  <p>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</p> | Application Number | 10/751,387 |
| | Filing Date | January 5, 2004 |
| | First Named Inventor | Subhakar Dey |
| | Group Art Unit | 1626 |
| | Examiner Name | To be assigned |
| | Attorney Docket Number | BP0307-US |

I hereby appoint:

☒ Practitioners at Customer Number

23544

23544

OR☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
| | |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.**OR**☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I am the:



Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Signature



Name

Brian D. Gildea, Patent Attorney

Date

June 18, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*



* Total of _____ forms are submitted.

Please type a plus sign (+) inside this box → +Approved for use through 10/31/2002. OMB 0651-0035
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Dey et al.Application No./Patent No. 10/751,387 Filed/Issue Date: January 5, 2004Entitled: Isotopically Enriched N-Substituted Piperazine Acetic Acids And Methods For The Preparation ThereofApplera Corporation

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An executed assignment from the inventor(s) of the patent application/patent identified above is attached hereto.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE:] A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

June 18, 2004
Date

Brian D. Gildea, Reg. No. 39,995

Typed or printed name

Brian D. Gildea

Signature

Patent Attorney

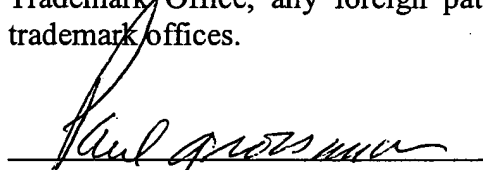
Title

**LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE
REGARDING CERTAIN PATENT AND TRADEMARK MATTERS
EFFECTIVE THROUGH: December 31, 2006**

I, Paul D. Grossman, as Assistant Secretary of Applera Corporation ("Applera"), hereby authorize the following patent attorneys:

Scott R. Bortner, Reg. No. 34,298
John W. Burns, Reg. No. 43,520
Jeffery D. Frazier, Reg. No. 34,601
Brian D. Gildea, Reg. No. 39,995
Andrew T. Karnakis, Reg. No. 27,909
Phil N. Makrogiannis, Reg. No. 47,766
Vincent M. Powers, Reg. No. 36,246

(1) to act on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark entities, (2) to execute power of attorney documents on behalf of Applera, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of Applera, in any foreign or international patent or trademark applications filed with any foreign and/or international patent or trademark offices, and (3) to execute assignment and ownership documents on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark offices.

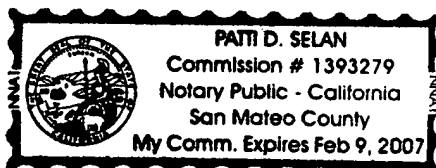

Paul D. Grossman
Assistant Secretary,
Applera Corporation

3/26/04
Date

State of California)
) ss.
County of San Mateo)

On March 26, 2004 before me, Patti D. Selan, personally appeared Paul D. Grossman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.




Notary Public

ASSIGNMENT

For good and valuable consideration paid to us, receipt of which is hereby acknowledged, we each:

Subhakar Dey residing at 9 Sewell Street, Billerica, MA 01862, citizen of India;
Darryl J.C. Pappin residing at 391 Burroughs Road, Boxborough, MA 01719, citizen of United Kingdom;
Subhasish Purkayastha residing at 49 Lexington Drive, Acton, MA 01720, citizen of India;
Sasi Pillai residing at 1 Nicole Lane, Littleton, MA 01460, citizen of India;
James M. Coull residing at 7 Banbury Drive, Westford, MA 01886, citizen of the United States

do hereby sell, assign, and set over unto

Applera Corporation

a Delaware corporation having a place of business at 15 DeAngelo Drive, Bedford, Massachusetts (hereinafter "Assignee"), its successors, legal representatives and assigns, each of our entire right, title, and interest in and to any and all of our inventions and discoveries entitled:

Isotopically Enriched N-Substituted Piperazine Acetic Acids And Methods For The Preparation Thereof

as described and/or claimed in our United States patent application, having an oath or declaration fully executed by us and, subsequently assigned Serial Number 10/751,387 and filing date of January 5, 2004 by the United States Patent and Trademark Office; in and to the right to file patent applications in the name of Assignee, its designee, in all of our names, or in any other name or names, on the aforesaid inventions and discoveries in any or all countries of the world, together with all rights of priority in the aforesaid countries deriving from the above-identified United States patent application under the International Convention for the Protection of Industrial Property, under the Inter-American Convention relating to Inventions, Patents, Designs and Industrial Models, and under any other international arrangement to which the United States now is or hereafter becomes a signatory; in and to any and all applications for Letters Patent, and any and all Letters Patent that issue on any of the aforesaid applications, and in and to any and all divisions, continuations, and continuations-in-part of any and all of said applications, and any and all reissues, renewals and extensions of any of said Letters Patent, such that the same right, title and interest to be held and enjoyed by Assignee, its successors, assigns or other legal representatives, to the full ends of the terms for which all Letters Patent therefore may be granted, shall be as full and complete as that that would have been held and enjoyed by us if this assignment and sale had not been made.

We further hereby covenant and agree, for the same consideration, whenever counsel of Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with said invention, or said application for Letters Patent, including interference proceedings, is lawful and desirable, or that any division, continuation, or continuation-in-part of any application for Letters Patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable to sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to said Assignee, its successors, legal representatives and assigns, but at the cost and expense of said Assignee, its successors, legal representatives and assigns.

We hereby authorize Assignee to insert in this instrument the serial number and filing date of said application when officially notified thereof.

Name of inventor: **Subhakar Dey**

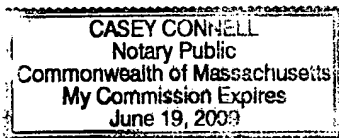
Inventor's signature *Julian* Date: Apr 07/04

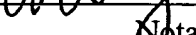
State of Massachusetts)
) ss.

County of Middlesex)

County of Middlesex)
On April 7, 2004 before me, Casey Connell,
personally appeared Subhakar Dey, personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his signature
on the instrument the person, or the entity upon behalf of which the person acted, executed the
instrument.

WITNESS my hand and official seal.





Notary Public

Name of inventor: **Darryl J.C. Pappin**

Inventor's signature

Date:

4/1/04

State of Massachusetts)

) ss.

County of Middlesex)

On April 1, 2004 before me, Patricia E. Tocci,
personally appeared Darryl J.C. Pappin, personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument
and acknowledged to me that he executed the same in his authorized capacity, and that by his
signature on the instrument the person, or the entity upon behalf of which the person acted,
executed the instrument.

WITNESS my hand and official seal.

Patricia E. Tocci
Notary Public

Name of inventor: **Subhasish Purkayastha**

Inventor's signature *S. Purkayastha* Date: 3/31/04

State of Massachusetts)
) ss.
County of Middlesex)

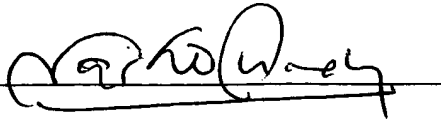
On March 31, 2004 before me, Patricia E. Tocci,
personally appeared Subhasish Purkayastha, personally known to me (or proved to me on
the basis of satisfactory evidence) to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his authorized capacity, and that
by his signature on the instrument the person, or the entity upon behalf of which the person acted,
executed the instrument.

WITNESS my hand and official seal.

Patricia E. Tocci
Notary Public

Name of inventor: Sasi K. Pillai

Inventor's signature



Date:

03. 31. 04.

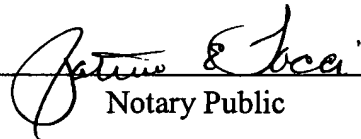
State of Massachusetts)

) ss.


County of Middlesex)

On March 31, 2004 before me, Patricia E. Tocci,
personally appeared Sasi K. Pillai, personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his signature
on the instrument the person, or the entity upon behalf of which the person acted, executed the
instrument.

WITNESS my hand and official seal.


Notary Public

Name of inventor: **James M. Coull**

Inventor's signature 

Date: 4/1/04

State of Massachusetts)
) ss.

County of Middlesex)

On April 1, 2004 before me, Patricia E. Tocci, personally appeared James M. Coull, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

John E. Lee
Notary Public